



Attorney's Docket No. 042253/205409

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Short Art Unit: 2137
Appl No.: 09/693,369 Confirmation No.: 8237
Filed: October 20, 2000
For: METHODS AND APPARATUS FOR ESTABLISHING DYNAMIC TUNNEL
ACCESS SESSIONS IN A COMMUNICATION NETWORK

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMITTAL OF DECLARATION

In accordance with the Examiner's request in the Official Action dated 09/22/04, enclosed is a copy of the Declaration and Power of Attorney for the above-identified patent application. The original Declaration and Power of Attorney was filed on January 10, 2001, in response to the Notice to File Missing Parts dated 12/21/00.

Any fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

James C. Edwards

Registration No. 44,667

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 231897481 YS
Date of Deposit January 21, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Sarah B. Simmons

CLT01/4691608v1



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 42253/205409

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR ESTABLISHING DYNAMIC TUNNEL ACCESS IN A COMMUNICATION NETWORK,

the specification of which

☐ is attached hereto

OR

☒ was filed on 10/20/2000 as United States Application No. 09/693,369.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

(None)			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/160,890	10/22/1999
Application Number	Filing Date (MM/DD/YYYY)
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

(None)		
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application. No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below and with Nomadix, Inc. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

**Customer Number 000826; and
J. Rick Taché, Esq., Reg. No. 36,027**

Direct correspondence to the
attention of and telephone calls to:

James C. Edwards, Esq.
Registration No. 44,667
Tel Charlotte Office (704) 331-6000
Fax Charlotte Office (704) 334-2014

Full name of
sole inventor:

Joel E. Short

Inventor's
Signature: _____

Date: 11/15/00

Residence:

Los Angeles, California

Citizenship:

United States of America

Mailing Address:

725 S. Barrington Avenue, #310, Los Angeles, CA 90049